

**Notice of Allowability****Application No.**

10/608,064

**Applicant(s)**

JINZAKI, AKIRA

**Examiner**

HIEU T. HOANG

**Art Unit**

2452

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication filed on 04/05/2009.
2. ☒ The allowed claim(s) is/are 1,6-8 and 10-18.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some\* c) ☐ None of the:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.  
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.  
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.  
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date 10/17/2007
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date 4/23/09
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_.

/Kenny S Lin/  
Primary Examiner, Art Unit 2452

**DETAILED ACTION**  
**EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with on 04/23/2009, followed by applicant's submitted claim draft.

The claims have been amended as follows:

1. (Currently Amended) A broadcast type communication data distribution apparatus distributing broadcast type communication data in a network, comprising:

a first network interface card receiving segments of broadcast type communication data sent from a sender through the network as uni-cast communication, the broadcast type communication data having a network address stored in a source address field, which is assigned to be unique in the network on a basis of an identifier of the broadcast type communication data, and control information relating to a relay, a copy and a transfer; and

a copy/transfer unit, wherein the copy/transfer unit includes:

a buffer memory temporarily storing the received broadcast type communication data;

a storage unit storing, in relation to the identifier of the broadcast type communication data, a receiver address to which copied broadcast type communication data is transmitted and a data transfer available/unavailable flag indicating whether a transmission to a receiver is possible;

a second network interface card being connected to the network and transmitting the broadcast type communication data; and

a processor, wherein the processor executes

extracting the identifier of the broadcast type communication data and the control relating to a relay, a copy and a transfer by analyzing the network address stored in the source address field of the received broadcast type communication data;

relaying the broadcast type communication data to be transmitted through the second network interface card in order to transmit the broadcast type communication data to the receiver;

acquiring the receiver address and the data transfer available/unavailable flag corresponding to the identifier of the received broadcast type communication data from the storage unit;

copying the broadcast type communication data on a basis of the acquired data transfer available/unavailable flag; and

transferring the copied broadcast type communication data to one or more receivers other than the addressed receiver or to another distribution device through the second network interface card on a basis of the acquired receiver address;

wherein the processor sets the data transfer available/unavailable flag, stored in the storage unit, of a receiver address that matches the destination address of the received broadcast type communication data to unavailable when the processor extracts a command from control information indicating a stoppage of data distribution to a receiver.

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9. (Cancelled)

18. (Currently Amended) A broadcast type communication system conducting broadcast type communications, comprising:

a transmitter apparatus transmitting segments of broadcast type communication data sent from a sender through a network as uni-cast communication, the broadcast type communication data having a network address stored in a source address field, which is assigned to be unique in the network on a basis of an identifier of the broadcast type communication data, and control information relating to a relay, a copy and a transfer; and

a broadcast type communication data distribution apparatus including:

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a first network interface card receiving the segments of the broadcast type communication data transmitted from the transmitter apparatus; and

a copy/transfer unit, wherein the copy/transfer unit includes:

- a buffer memory temporarily storing the received broadcast type communication data;
- a storage unit storing, in relation to the identifier of the broadcast type communication data, a receiver address to which the copied broadcast type communication data is transmitted and a data transfer available/unavailable flag indicating whether a transmit to a receiver is possible;
- a second network interface card being connected to the network and transmitting the broadcast type communication data; and
- a processor, wherein the processor executes:
  - extracting the identifier to the broadcast type communication data and control information relating to a relay, a copy and a transfer by analyzing the network address stored in the source address field of the received broadcast type communication data;
  - relaying the broadcast type communication data to be transmitted through the second network interface card in order to transmit the broadcast type communication data to the receiver;
  - acquiring the receiver address and the data transfer available/unavailable flag corresponding to the identifier of the received broadcast type communication data from the storage unit;
  - copying the broadcast type communication data on a basis of the acquired the data transfer available/unavailable flag; and
  - transferring the copied broadcast type communication data to one or more receivers other than the addressed receiver or to another distribution device through the second network interface card, on a basis of the acquired receiver address;

wherein the processor sets the data transfer available/unavailable flag, stored in the storage unit, of a receiver address that matches the destination address of the received broadcast type communication data to unavailable when the processor extracts a command from control information indicating a stoppage of data distribution to a receiver.

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***Reasons for Allowance***

The following is an examiner's statement of reasons for allowance:

Claims 1, 6-8, 10-18 are allowed. The prior art of record does not teach the claimed invention, as follows. The prior art does not teach or render obvious a broadcast type communication system that recognizes segments of broadcast type communication data sent from a sender through the network as uni-cast communication. The prior art does not teach or render obvious a data transfer available/unavailable flag indicating whether a transmission to a receiver is possible. Using the flag, copying of the broadcast type data is controlled and unnecessary copying is avoided. Also transferring of broadcast data to designated receivers is also controlled, allowing for efficient stoppage, pausing/resuming etc. of broadcast data.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure is included in form PTO 892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hieu T. Hoang whose telephone number is 571-270-

1253. The examiner can normally be reached on Monday-Thursday, 8 a.m.-5 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HH

/Kenny S Lin/

Primary Examiner, Art Unit 2452